

Message

From: Owens Powell, Marie [Owens.Mariejr@epa.gov]
Sent: 8/23/2022 4:51:50 PM
To: Howell, Joyce [Howell.Joyce@epa.gov]; Coomber, Robert [coomber.robert@epa.gov]; Schreyer, Andrew (he/him) [Schreyer.Andrew@epa.gov]; Breslin, John [breslin.john@epa.gov]; Bracewell, Terrell [Bracewell.Terrell.R@epa.gov]; Smith, Kathryn [Smith.Kathryn@epa.gov]; Cantello, Nicole [cantello.nicole@epa.gov]; Dreyfus, Bethany [Dreyfus.Bethany@epa.gov]; Copt, Britta [Copt.Britta@epa.gov]; Myers, Dianna [Myers.Dianna@epa.gov]; Guster, Edward [Guster.Edward@epa.gov]; Paff, Patricia [paff.patricia@epa.gov]; Kipka, Undine [kipka.undine@epa.gov]; James, Nathaniel [james.nathaniel@epa.gov]; Spears, Rasheena [spears.rasheena@epa.gov]; John Howard [John.Howard@afge.org]; Marshall, Kim [Marshall.Kim@epa.gov]; Eme, Sunday [Eme.Sunday@epa.gov]; Wiley, Ronald [Wiley.Ronald@epa.gov]; Lobatos, Stacey [Lobatos.Stacey@epa.gov]; Grecco, Solymar (she/her) [Grecco.Solymar@epa.gov]; Mcgrue, LaShawn [Mcgrue.Lashawn@epa.gov]; Casazza, Jerri [Casazza.Jerri@epa.gov]; Cunitz, Chasen J. [cunitz.chasen@epa.gov]; Sanders, Amy [Sanders.Amy@epa.gov]; Mei, Vicky [mei.vicky@epa.gov]; Guess, Yolanda [Guess.Yolanda@epa.gov]; Krebs, Ken [krebs.ken@epa.gov]; Brown, Stephanie N. [Brown.StephanieN@epa.gov]; Jackman, Dana [jackman.dana@epa.gov]; Echols, Sa'Mecha [Echols.SaMecha@epa.gov]

AFGE is back

Message

From: Paff, Patricia [paff.patricia@epa.gov]
Sent: 8/23/2022 5:58:07 PM
To: Owens Powell, Marie [Owens.Mariejr@epa.gov]; Howell, Joyce [Howell.Joyce@epa.gov]; Coomber, Robert [coomber.robert@epa.gov]; Schreyer, Andrew (he/him) [Schreyer.Andrew@epa.gov]; Breslin, John [breslin.john@epa.gov]; Bracewell, Terrell [Bracewell.Terrell.R@epa.gov]; Smith, Kathryn [Smith.Kathryn@epa.gov]; Kipka, Undine [kipka.undine@epa.gov]; Guster, Edward [Guster.Edward@epa.gov]; James, Nathaniel [james.nathaniel@epa.gov]; Myers, Dianna [Myers.Dianna@epa.gov]; Cantello, Nicole [cantello.nicole@epa.gov]; Copt, Britta [Copt.Britta@epa.gov]; Dreyfus, Bethany [Dreyfus.Bethany@epa.gov]; Marshall, Kim [Marshall.Kim@epa.gov]; Eme, Sunday [Eme.Sunday@epa.gov]; Wiley, Ronald [Wiley.Ronald@epa.gov]; John Howard [John.Howard@afge.org]; Spears, Rasheena [spears.rasheena@epa.gov]; Lobatos, Stacey [Lobatos.Stacey@epa.gov]; Grecco, Solymar (she/her) [Grecco.Solymar@epa.gov]; Cunitz, Chasen J. [cunitz.chasen@epa.gov]; Casazza, Jerri [Casazza.Jerri@epa.gov]; Mcgrue, LaShawn [Mcgrue.Lashawn@epa.gov]; Sanders, Amy [Sanders.Amy@epa.gov]; Mei, Vicky [mei.vicky@epa.gov]; Guess, Yolanda [Guess.Yolanda@epa.gov]; Krebs, Ken [krebs.ken@epa.gov]; Brown, Stephanie N. [Brown.StephanieN@epa.gov]; 8:orgid:2b74cae6-7f73-4b1c-8ef6-64b4dfe49843

Bob she was in Joyce's updated list

Message

From: Owens Powell, Marie [Owens.Mariejr@epa.gov]
Sent: 8/23/2022 6:26:38 PM
To: Howell, Joyce [Howell.Joyce@epa.gov]; Coomber, Robert [coomber.robert@epa.gov]; Schreyer, Andrew (he/him) [Schreyer.Andrew@epa.gov]; Breslin, John [breslin.john@epa.gov]; Bracewell, Terrell [Bracewell.Terrell.R@epa.gov]; Smith, Kathryn [Smith.Kathryn@epa.gov]; Kipka, Undine [kipka.undine@epa.gov]; Guster, Edward [Guster.Edward@epa.gov]; James, Nathaniel [james.nathaniel@epa.gov]; Paff, Patricia [paff.patricia@epa.gov]; Myers, Dianna [Myers.Dianna@epa.gov]; Cantello, Nicole [cantello.nicole@epa.gov]; Copt, Britta [Copt.Britta@epa.gov]; Dreyfus, Bethany [Dreyfus.Bethany@epa.gov]; Marshall, Kim [Marshall.Kim@epa.gov]; Eme, Sunday [Eme.Sunday@epa.gov]; Wiley, Ronald [Wiley.Ronald@epa.gov]; John Howard [John.Howard@afge.org]; Spears, Rasheena [spears.rasheena@epa.gov]; Lobatos, Stacey [Lobatos.Stacey@epa.gov]; Grecco, Solymar (she/her) [Grecco.Solymar@epa.gov]; Cunitz, Chasen J. [cunitz.chasen@epa.gov]; Mcgrue, LaShawn [Mcgrue.Lashawn@epa.gov]; Sanders, Amy [Sanders.Amy@epa.gov]; Mei, Vicky [mei.vicky@epa.gov]; Guess, Yolanda [Guess.Yolanda@epa.gov]; Krebs, Ken [krebs.ken@epa.gov]; Brown, Stephanie N. [Brown.StephanieN@epa.gov]; 8:orgid:2b74cae6-7f73-4b1c-8ef6-64b4dfe49843

AFGE is back

Message

From: Paff, Patricia [paff.patricia@epa.gov]
Sent: 8/29/2022 5:55:14 PM
To: Brown, Phil [Brown.Phil@epa.gov]; Owens Powell, Marie [Owens.Mariejr@epa.gov]; Howell, Joyce [Howell.Joyce@epa.gov]; Oliver, Leah [Oliver.Leah@epa.gov]; Mills, Lesley [Mills.Lesley@epa.gov]; Davis, Zakiya [Davis.Zakiya@epa.gov]; Sims, Mark [Sims.Mark@epa.gov]; Schreyer, Andrew (he/him) [Schreyer.Andrew@epa.gov]; Steenbock, John [Steenbock.John@epa.gov]; Pace, Donald [Pace.Donald@epa.gov]; Drake, Kerry (he/him) [Drake.Kerry@epa.gov]; Buhl, Rick [Buhl.Rick@epa.gov]; Sanders, Amy [Sanders.Amy@epa.gov]; Datcher, Linda [Datcher.Linda@epa.gov]; Hart, Debbi [Hart.Debbi@epa.gov]; McDonald, James [McDonald.James@epa.gov]; Johnson, Arthur [Johnson.Arthur@epa.gov]; Tellis, Vickie [Tellis.Vickie@epa.gov]; Ottlinger, Michael [Ottlinger.Michael@epa.gov]; Medici, Andrea [medici.andrea@epa.gov]; Lynne, Diane [Lynne.Diane@epa.gov]; Cantello, Nicole [cantello.nicole@epa.gov]; Chen, Justin [Chen.Justin@epa.gov]; Christenson, Dave [Christenson.Dave@epa.gov]; Copt, Britta [Copt.Britta@epa.gov]; Dreyfus, Bethany [Dreyfus.Bethany@epa.gov]; Greaves, Natasha [Greaves.Natasha@epa.gov]; Guster, Edward [Guster.Edward@epa.gov]; James, Nathaniel [james.nathaniel@epa.gov]; Kipka, Undine [kipka.undine@epa.gov]; Krebs, Ken [krebs.ken@epa.gov]; McIntyre, Crystal [McIntyre.Crystal@epa.gov]; Myers, Dianna [Myers.Dianna@epa.gov]; Starnes, Brad (he/him) [starnes.brad@epa.gov]; Worford, Cameron [Worford.Cameron@epa.gov]; John Campbell-Orde [john.campbell-orde@NTEU.ORG]; Al-Mudallal, Amer [Al-Mudallal.Amer@epa.gov]; Coomber, Robert [coomber.robert@epa.gov]; Barker, Justin [barker.justin@epa.gov]; Jamison, Rebecca [Jamison.Rebecca@epa.gov]; Hoppe, Allison [hoppe.allison@epa.gov]; Hines, Christina [Hines.Christina@epa.gov]; Allen, Tania [Allen.Tania@epa.gov]; 8:orgid:0b2bc9f1-3a6d-4e44-a448-4094920ca3e3; 8:orgid:2b182798-6d89-4d1f-87c3-99f2566d2881

I am so confused about this partnership and how the agency views this working in real time. For example, Janet McCabe took notes during the labor mgmt forum meeting on 7/21/22 and it is my understanding that she did NOT follow up with AFGE (Marie) after that meeting. I don't understand why Janet took notes if she did not intend to follow up with AFGE. I struggle to see the advantage If we are writing a charter to codify more of the same.

Message

From: Owens Powell, Marie [Owens.Mariejr@epa.gov]
Sent: 8/22/2022 5:39:28 PM
To: Howell, Joyce [Howell.Joyce@epa.gov]; Coomber, Robert [coomber.robert@epa.gov]; Schreyer, Andrew (he/him) [Schreyer.Andrew@epa.gov]; Breslin, John [breslin.john@epa.gov]; Bracewell, Terrell [Bracewell.Terrell.R@epa.gov]; Smith, Kathryn [Smith.Kathryn@epa.gov]; Kipka, Undine [kipka.undine@epa.gov]; Guster, Edward [Guster.Edward@epa.gov]; James, Nathaniel [james.nathaniel@epa.gov]; Paff, Patricia [paff.patricia@epa.gov]; Myers, Dianna [Myers.Dianna@epa.gov]; Cantello, Nicole [cantello.nicole@epa.gov]; Copt, Britta [Copt.Britta@epa.gov]; Dreyfus, Bethany [Dreyfus.Bethany@epa.gov]; Marshall, Kim [Marshall.Kim@epa.gov]; Eme, Sunday [Eme.Sunday@epa.gov]; Wiley, Ronald [Wiley.Ronald@epa.gov]; John Howard [John.Howard@afge.org]; Spears, Rasheena [spears.rasheena@epa.gov]; Lobatos, Stacey [Lobatos.Stacey@epa.gov]; Grecco, Solymar (she/her) [Grecco.Solymar@epa.gov]; Cunitz, Chasen J. [cunitz.chasen@epa.gov]; Casazza, Jerri [Casazza.Jerri@epa.gov]; Mcgrue, LaShawn [Mcgrue.Lashawn@epa.gov]; Sanders, Amy [Sanders.Amy@epa.gov]; Mei, Vicky [mei.vicky@epa.gov]; Guess, Yolanda [Guess.Yolanda@epa.gov]; Krebs, Ken [krebs.ken@epa.gov]; Brown, Stephanie N. [Brown.StephanieN@epa.gov]; 8:orgid:feedb30d-a3c2-455c-b897-a41d78d16133

AFGE is back

Message

From: Coomber, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B00918E91D7B4A509E14DF3E94E07328-COOMBER, RO]
Sent: 8/25/2022 3:24:05 PM
To: Davis, Zakiya [Davis.Zakiya@epa.gov]; John Campbell-Orde [john.campbell-orde@nteu.org]; Krebs, Ken [krebs.ken@epa.gov]; Marie Owens-Powell [Owens.Mariejr@epa.gov]; Mills, Lesley [Mills.Lesley@epa.gov]; Oliver, Leah [Oliver.Leah@epa.gov]; Sims, Mark [Sims.Mark@epa.gov]
CC: Brown, Phil [Brown.Phil@epa.gov]
BCC: Ex. 6 Personal Privacy (PP)
Subject: COVID Mass Mailer for final review
Attachments: Updated Guidance on COVID-19 Risk and Prevention

Importance: High

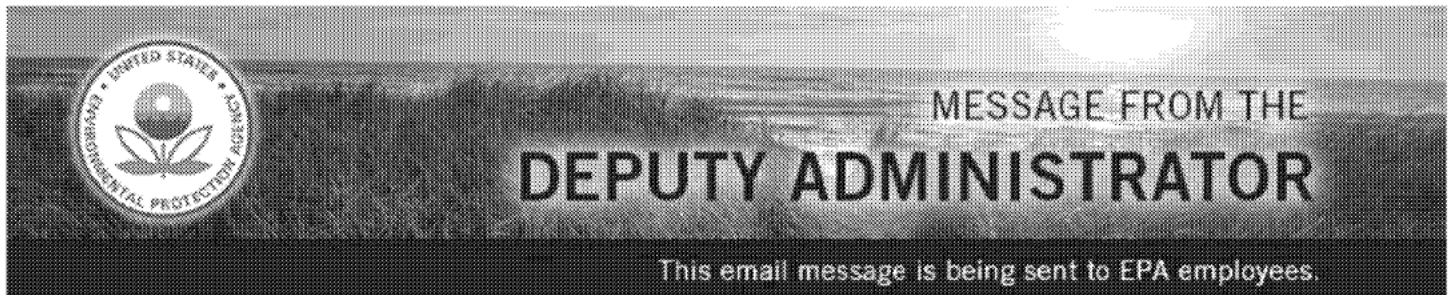
Hi Union Leaders,

This is about to go out.

Best,

Bob

From: Message from the Deputy Administrator [messagefromthedeputyadministrator@epa.gov]
Subject: Updated Guidance on COVID-19 Risk and Prevention



Dear Colleagues,

It's hard to believe that summer is already coming to an end. As I've traveled around the U.S. and had the privilege to meet many of you in person, I've been inspired by seeing first-hand how we are adapting to our hybrid work environment. So many employees are telling me that they are glad to be able to meet in person with their colleagues, even as they are still concerned about community transmission rates.

For the past two and a half years, the pandemic has evolved and continually reshaped our work and personal lives. This week brings even more change to how we operate in this new normal.

On August 11, 2022, the Centers for Disease Control (CDC) provided updated COVID-19 guidance, specifically about risk, prevention, post-exposure precautions, and what actions to take when individuals are sick or test positive with the virus. Based on the CDC's updates, the Safer Federal Workforce Task Force issued [updated COVID-19 Workplace Safety guidance](#) to federal agencies.

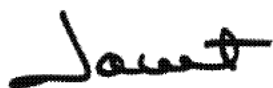
We'll share more on the Safer Federal Workforce changes and updates to EPA's [Workplace Safety Plan](#) after we review the updated guidance and have further discussions with our union partners.

Until then, here are changes we're now implementing:

- For those enrolled in the agency [Screening Testing Program](#), testing is no longer required.
- Regardless of COVID-19 community levels, employees, onsite contractor employees, visitors, or in-person attendees are no longer required to provide information about their vaccination status. (This includes no longer using the Certification of Vaccination form for visitors, contractors, and grantees.)
- Individuals exposed to someone with COVID-19 should follow the ["Close Contact" guidance](#) for "Up-to-date on COVID-19 vaccinations," regardless of their vaccination status. The Contact Tracing and Notification Guidance will be updated soon to reflect that the close contact guidance is now the same for everyone regardless of vaccination status.
- Programs and regions are no longer required to seek approval to host an event attended by more than 50 in-person participants in areas with HIGH COVID-19 Community Level.

As our situation continues to evolve, I want to assure you that we remain committed to your health and safety and making sure that we can all work safely together. EPA continues to maintain [healthy indoor air](#) and take [indoor shared space precautions](#), and encourages employees to make use of [workplace flexibilities](#), such as telework, work schedules and remote work.

If you have questions, please email them to EPA_COVID-19_Coordination_Team@epa.gov.
Thank you for all your hard work and for everything that you do to protect public health and the environment.

A handwritten signature in black ink, appearing to read "Jant".

Message

From: Coomber, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B00918E91D7B4A509E14DF3E94E07328-COOMBER, RO]
Sent: **Ex. 3 - 5 U.S.C. § 7114(b)(4)**
To:
Subject: FW: AFGE Proposals on changes to COVID Safety, Travel, and Testing
Attachments: AFGE Proposals on COVID Safety Plan update.docx

Ex. 3 - 5 U.S.C. § 7114(b)(4)

AFGE Council 238 Demand to Bargain and Proposals

In accordance with Section 3 Paragraph 13 of the EPA AFGE MOU on the COVID Safety Plan, COVID Travel Plan, and COVID Testing Protocol, AFGE Council 238 demands to bargain the changes and anticipated changes to EPA's COVID policy in response to the latest CDC and Safer Federal Workforce guidance, issued August 11, 2022, and August 17, 2022, respectively (August 2022 COVID Guidances). AFGE Council 238 submits these proposals regarding EPA's current and anticipated changes as they impact COVID safety and travel. The Agency has indicated that other changes are anticipated coming out of the August 2022 COVID Guidance, and the Union will submit proposals when the Agency provides notice of those changes. Note that the Union would be willing to participate in pre-decisional involvement on these anticipated changes.

Proposals:

Proposal 1: *The Agency will include reminders to anyone entering EPA facilities that, along with taking the self-monitoring survey, those who are leaving COVID quarantine prior to day 10 must wear well-fitting masks at all times in EPA facilities regardless of the COVID community level in the area of the EPA office.*

Proposal 2: *For anyone required to wear a mask inside EPA facilities, the Agency shall make available KN95 masks. All occupants entering without a KN95 or well-fitted N95 mask shall make available appropriate masks at the entrance to the EPA facility.*

Proposal 3: *If an employee is 5 days post initial COVID symptoms or positive test, they may leave COVID quarantine but are required to wear a well-fitting mask for an additional 5 days or provide 2 negative COVID tests taken 48 hours apart. For those employees required to wear a mask due to COVID but are unable to wear a well-fitting mask inside EPA facilities should either not return into EPA facilities until after day 10 or provide the 2 negative COVID tests taken 48 hours apart. For those employees using a series of negative COVID tests to exempt themselves from masking will provide the test results to the Agency as required in Section 4, Paragraph 2, of this MOU.*

Travel Proposals: AFGE has not yet been provided Agency changes to its Travel Policy in response to the August 2022 COVID Guidances, and the Union understands that the CDC only just updated its Travel Guidance on August 24, and its Quarantine Guidance has yet to be updated. Accordingly, the following proposals respond to anticipated concerns with current official travel policy that we expect will be impacted when incorporating the August 2022 COVID Guidances.

Travel Proposal 1: *Employees may decline to do official travel if they have COVID concerns based on their personal situations and/or COVID levels.*

Travel Proposal 2: *The Agency will provide COVID testing to employees on official travel both before and after official Agency travel if requested by the employee.*

Travel Proposal 3: *The Agency will ensure that COVID flexibilities are available to employees on official travel. Such flexibilities may include but are not limited to allowing use of alternative means of travel (e.g., driving instead of flying, use of rental car vs. POV) and adjusting the length of trips due to travel method chosen. If an employee is required to quarantine at the official travel destination, the Agency will help to accommodate the needs of the employee, including but not*

limited to waiving requirements to meet government rates for lodging, enable cancellations of return flights to allow for return home by alternative means (e.g. rental car). The Agency will ensure that all offices involved in travel and employees on official travel are informed of available travel flexibilities related to COVID.

Message

From: Coomber, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B00918E91D7B4A509E14DF3E94E07328-COOMBER, RO]
Sent: 8/25/2022 1:30:28 PM
To: Davis, Zakiya [Davis.Zakiya@epa.gov]; John Campbell-Orde [john.campbell-orde@nteu.org]; Krebs, Ken [krebs.ken@epa.gov]; Marie Owens-Powell [Owens.Mariejr@epa.gov]; Mills, Lesley [Mills.Lesley@epa.gov]; Oliver, Leah [Oliver.Leah@epa.gov]; Sims, Mark [Sims.Mark@epa.gov]
CC: Brown, Phil [Brown.Phil@epa.gov]
BCC:

Ex. 6 Personal Privacy (PP)

Subject: DRAFT EMAIL Update to CDC Guidance on Domestic and International Travel

Hi Union Leaders,

It seems like it was just last week we were notifying you of an extremely tight deadline handed down from CDC and the SFWFTF, and here we are again.

Last night, the Centers for Disease Control and Prevention (CDC) updated its COVID-19 guidance on domestic travel and international travel.

The Safer Federal Workforce Task Force (Task Force) will update its guidance on official travel next week, to align with the updated CDC guidance. We will set up a briefing when it is issued.

Best,

Bob

Bob Coomber

Office of Human Resources

Director, Labor Employee Relations Division

U.S. Environmental Protection Agency

Office: (202) 564-0955

Mobile: (202) 236-4965

Email: coomber.robert@epa.gov



Ex. 3 - 5 U.S.C. § 7114(b)(4)

Ex. 3 - 5 U.S.C. § 7114(b)(4)

From: Coomber, Robert

Sent: Friday, August 19, 2022 5:28 PM

To: Davis, Zakiya <Davis.Zakiya@epa.gov>; John Campbell-Orde <john.campbell-orde@nteu.org>; Krebs, Ken <krebs.ken@epa.gov>; Marie Owens-Powell <Owens.Mariejr@epa.gov>; Mills, Lesley <Mills.Lesley@epa.gov>; Oliver, Leah <Oliver.Leah@epa.gov>; Sims, Mark <Sims.Mark@epa.gov>; Barker, Justin <barker.justin@epa.gov>; Ottlinger, Michael <Ottlinger.Michael@epa.gov>; Lynne, Diane <Lynne.Diane@epa.gov>; Frank Barczykowski <frank.barczykowski@nteu.org>; Jamison, Rebecca <Jamison.Rebecca@epa.gov>

Cc: Brown, Phil <Brown.Phil@epa.gov>

Subject: RE: Safer Federal Workforce Task Force Updates

Happy Friday Union Leaders,

I am following up on our discussions on Thursday and Friday. The agency still plans to implement changes from the Safer Federal Workforce Task Force on Monday, August 22, 2022 for all employees including:

- A stop to the agency's screening testing program differentiating between employees based on their COVID-19 vaccination status;
- A change to post-exposure precautions for employees not up-to-date on their COVID-19 vaccines, i.e. these employees are no longer prohibited from entering federal facilities or interacting with members of the public in person as part of their official responsibilities for at least 5 full days, but instead should follow post-exposure precautions consistent with CDC guidance (see page 8 of the attached for details); and
- A pause to requiring or requesting employees and potential employees to provide information about their COVID-19 vaccination status regardless of COVID-19 Community Levels, where COVID-19 safety protocols do not vary based on vaccination status.

There are additional changes required affecting contractors not relevant to the parties' agreements also going into effect Monday. From our conversations I understand there are no objections to our plan to implement these changes on Monday.

There are further changes the parties will have to take up in the days ahead noted by the Taskforce, including changes to acceptable masks, etc. If you have any questions or concerns or wish to discuss these issues further, please reach out.

Best,

Bob

From: Coomber, Robert

Sent: Thursday, August 18, 2022 10:41 AM

To: Davis, Zakiya <Davis.Zakiya@epa.gov>; John Campbell-Orde <john.campbell-orde@nteu.org>; Krebs, Ken <krebs.ken@epa.gov>; Marie Owens-Powell <Owens.Mariejr@epa.gov>; Mills, Lesley <Mills.Lesley@epa.gov>; Oliver, Leah <Oliver.Leah@epa.gov>; Sims, Mark <Sims.Mark@epa.gov>
Cc: Brown, Phil <Brown.Phil@epa.gov>
Subject: Safer Federal Workforce Task Force Updates

Good Morning Union Leaders,

Attached please find the Safer Federal Workforce Task Force's updated guidance. You can also visit their website for more information. Below is a notice from OPM sent this morning to all national federal unions.

As noted in the guidance, we have been asked and plan to implement this guidance no later than Monday, August 22, 2022. I am setting up a meeting at 4pm to discuss.

Best,

Bob

From: OPM-AWR <AWR@opm.gov>
Sent: Thursday, August 18, 2022 7:53 AM
Cc: OPM-AWR <AWR@opm.gov>
Subject: Safer Federal Workforce Task Force Updates

Good morning,

Late yesterday, the Safer Federal Workforce Task Force posted updated guidance as follows:

- New implementation guidance on updates to Federal agency COVID-19 Workplace Safety Protocols or
(https://www.saferfederalworkforce.gov/downloads/Initial%20Implementation%20Guidance_CDC%20Streamline_20220817.pdf)
- Updated implementation guidance on COVID-19 Community Levels or
(https://www.saferfederalworkforce.gov/downloads/COVID-19%20Community%20Levels_Guidance%20for%20Federal%20Agencies_20220817.pdf)
- Updated FAQs Related to Compliance with the Applicable Preliminary Nationwide Injunction on Implementation and Enforcement of the Vaccination Requirement Pursuant to Executive Order 14043 or
(https://www.saferfederalworkforce.gov/downloads/Updated%20FAQs_compliance_injunction_EO%2014043_20220817.pdf)

Additional background:

On August 11, 2022, the Centers for Disease Control and Prevention (CDC) streamlined its existing COVID-19 guidance (<https://www.cdc.gov/media/releases/2022/p0811-covid-guidance.html>) to make it easier to understand COVID-19 risk, prevention steps, post-exposure precautions, and what actions to take when individuals are sick with or test positive for the virus. Pursuant to Section 2(a) of Executive Order (EO) 13991 on "Protecting the Federal Workforce and Requiring Mask-Wearing,"

executive agencies must follow CDC guidance for mask-wearing, maintaining physical distance, and adhering to other public health measures.

Agencies have been provided a reminder on three immediate actions as soon as possible and no later than Monday, August 22, 2022:

1. Stop implementing any COVID-19 serial screening testing programs that differentiate among individuals based on their COVID-19 vaccination status, and stop implementing any point-in time screening testing requirements that differentiate among individuals based on their vaccination status. Agencies also should stop implementing any current requirements that, solely because of their vaccination status, onsite contractor employees, visitors, and in-person attendees at agency-hosted meetings, events, and conferences need to be able to provide proof of a negative COVID-19 test when accessing or in Federal facilities or at an agency-hosted meeting, event, or conference.
 - Following consultation with agency COVID-19 Coordination Teams and the Task Force, agencies may establish COVID-19 serial screening testing programs for employees (or employees and onsite contractor employees) working in high-risk settings within Federal facilities. High-risk settings include certain Federal facilities—or certain specific settings within Federal facilities—where (1) COVID-19 transmission risk is high, and (2) the population present onsite is at high risk of severe outcomes from COVID-19 or there is limited access to healthcare. See the implementation guidance issued today for more information about consultation with the Task Force on screening testing for high-risk settings in Federal facilities.
2. Pause asking employees, onsite contractor employees, visitors to Federal facilities, or in-person attendees at agency-hosted meetings, events, and conferences to provide information about their COVID-19 vaccination status, regardless of COVID-19 Community Levels, where COVID-19 safety protocols do not vary based on vaccination status. Consistent with CDC's new streamlined guidance, for most Federal workplaces, COVID-19 workplace safety protocols will not vary based on vaccination status or otherwise depend on vaccination information. Where this is the case, agencies should no longer request or collect vaccination status information. Agencies with employee COVID-19 vaccination requirements unrelated to EO 14043 and pursuant to other authorities can continue to require documentation of proof of vaccination from employees subject to those requirements, as can agencies with other setting-specific dependencies on collecting vaccination information from employees in those settings, in consultation with the Task Force, the agency's General Counsel, and the agency's Senior Agency Official for Privacy. The Government-wide Certification of Vaccination form must not be used.
 - When agencies pause requesting and collecting vaccination status information, such agencies must continue to preserve their vaccination information collection systems and the information collected to date from employees in accordance with National Archives and Records Administration records schedules. Furthermore, it is important to preserve this information as COVID-19 workplace safety may change in the future, or collection of this information from Federal employees may otherwise need to resume.
3. No longer require that individuals who are not up to date with COVID-19 vaccines and who have been exposed to someone with COVID-19 do not enter Federal facilities or do not interact with members of the public in person as part of their official responsibilities for at least 5 full days. Rather, agencies should instruct all individuals exposed to someone with COVID-19 to follow the post-exposure protocols described in the implementation guidance issued today by the Task Force, consistent with CDC guidance on post-exposure precautions.

Agencies have also been provided a reminder on labor relations obligations:

Agencies should engage with employee unions at their earliest opportunity as they adjust agency COVID-19 workplace safety plans, protocols, and policies, and otherwise satisfy any applicable collective bargaining obligations under the law, if any, at the earliest opportunity, including on a post-implementation basis where appropriate in order to meet the deadline established by the Task Force.

Agencies should also review existing collective bargaining agreements (CBAs) to assess whether these updated COVID-19 workplace safety protocols conflict with existing CBA provisions. To the extent existing CBA provisions exist, agencies are strongly encouraged to bring the CBA into compliance with these updated COVID-19 workplace safety protocols at the earliest opportunity permitted under the law.

As additional updates are made by the Task Force, we will share as soon as we are able to do so.

Tim Curry

*Deputy Associate Director, Accountability
and Workforce Relations*

Employee Services

U.S. Office of Personnel Management

Message

From: Coomber, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B00918E91D7B4A509E14DF3E94E07328-COOMBER, RO]
Sent: 8/22/2022 10:02:58 PM
To: Sanders, Amy [Sanders.Amy@epa.gov]
CC: Marlinga, Richard [marlinga.richard@epa.gov]
Subject: RE: Safer Federal Workforce Task Force Updates

Ex. 5 Attorney Client (AC)

From: Sanders, Amy <Sanders.Amy@epa.gov>
Sent: Monday, August 22, 2022 11:25 AM
To: Coomber, Robert <coomber.robert@epa.gov>
Cc: Marlinga, Richard <marlinga.richard@epa.gov>
Subject: RE: Safer Federal Workforce Task Force Updates

Ex. 5 Attorney Client (AC)

From: Coomber, Robert <coomber.robert@epa.gov>
Sent: Monday, August 22, 2022 08:48
To: LER Community <LER_Community@epa.gov>
Subject: FW: Safer Federal Workforce Task Force Updates

Ex. 3 - 5 U.S.C. 7114(b)(4)(C)

Best,

Bob

From: Coomber, Robert

Sent: Friday, August 19, 2022 5:28 PM

To: Davis, Zakiya <Davis.Zakiya@epa.gov>; John Campbell-Orde <john.campbell-orde@nteu.org>; Krebs, Ken <krebs.ken@epa.gov>; Marie Owens-Powell <Owens.Mariejr@epa.gov>; Mills, Lesley <Mills.Lesley@epa.gov>; Oliver, Leah <Oliver.Leah@epa.gov>; Sims, Mark <Sims.Mark@epa.gov>; Barker, Justin <barker.justin@epa.gov>; Ottlinger, Michael <Ottlinger.Michael@epa.gov>; Lynne, Diane <Lynne.Diane@epa.gov>; Frank Barczykowski <frank.barczykowski@nteu.org>; Jamison, Rebecca <Jamison.Rebecca@epa.gov>

Cc: Brown, Phil <Brown.Phil@epa.gov>

Subject: RE: Safer Federal Workforce Task Force Updates

Happy Friday Union Leaders,

I am following up on our discussions on Thursday and Friday. The agency still plans to implement changes from the Safer Federal Workforce Task Force on Monday, August 22, 2022 for all employees including:

- A stop to the agency's screening testing program differentiating between employees based on their COVID-19 vaccination status;
- A change to post-exposure precautions for employees not up-to-date on their COVID-19 vaccines, i.e. these employees are no longer prohibited from entering federal facilities or interacting with members of the public in person as part of their official responsibilities for at least 5 full days, but instead should follow post-exposure precautions consistent with CDC guidance (see page 8 of the attached for details); and
- A pause to requiring or requesting employees and potential employees to provide information about their COVID-19 vaccination status regardless of COVID-19 Community Levels, where COVID-19 safety protocols do not vary based on vaccination status.

There are additional changes required affecting contractors not relevant to the parties' agreements also going into effect Monday. From our conversations I understand there are no objections to our plan to implement these changes on Monday.

There are further changes the parties will have to take up in the days ahead noted by the Taskforce, including changes to acceptable masks, etc. If you have any questions or concerns or wish to discuss these issues further, please reach out.

Best,

Bob

From: Coomber, Robert

Sent: Thursday, August 18, 2022 10:41 AM

To: Davis, Zakiya <Davis.Zakiya@epa.gov>; John Campbell-Orde <john.campbell-orde@nteu.org>; Krebs, Ken <krebs.ken@epa.gov>; Marie Owens-Powell <Owens.Mariejr@epa.gov>; Mills, Lesley <Mills.Lesley@epa.gov>; Oliver, Leah <Oliver.Leah@epa.gov>; Sims, Mark <Sims.Mark@epa.gov>

Cc: Brown, Phil <Brown.Phil@epa.gov>

Subject: Safer Federal Workforce Task Force Updates

Good Morning Union Leaders,

Attached please find the Safer Federal Workforce Task Force's updated guidance. You can also visit their website for more information. Below is a notice from OPM sent this morning to all national federal unions.

As noted in the guidance, we have been asked and plan to implement this guidance no later than Monday, August 22, 2022. I am setting up a meeting at 4pm to discuss.

Best,

Bob

From: OPM-AWR <AWR@opm.gov>
Sent: Thursday, August 18, 2022 7:53 AM
Cc: OPM-AWR <AWR@opm.gov>
Subject: Safer Federal Workforce Task Force Updates

Good morning,

Late yesterday, the Safer Federal Workforce Task Force posted updated guidance as follows:

- New implementation guidance on updates to Federal agency COVID-19 Workplace Safety Protocols or (https://www.saferfederalworkforce.gov/downloads/Initial%20Implementation%20Guidance_CDC%20Streamline_20220817.pdf)
- Updated implementation guidance on COVID-19 Community Levels or (https://www.saferfederalworkforce.gov/downloads/COVID-19%20Community%20Levels_Guidance%20for%20Federal%20Agencies_20220817.pdf)
- Updated FAQs Related to Compliance with the Applicable Preliminary Nationwide Injunction on Implementation and Enforcement of the Vaccination Requirement Pursuant to Executive Order 14043 or (https://www.saferfederalworkforce.gov/downloads/Updated%20FAQs_compliance_injunction_EO%2014043_20220817.pdf)

Additional background:

On August 11, 2022, the Centers for Disease Control and Prevention (CDC) streamlined its existing COVID-19 guidance (<https://www.cdc.gov/media/releases/2022/p0811-covid-guidance.html>) to make it easier to understand COVID-19 risk, prevention steps, post-exposure precautions, and what actions to take when individuals are sick with or test positive for the virus. Pursuant to Section 2(a) of Executive Order (EO) 13991 on "Protecting the Federal Workforce and Requiring Mask-Wearing," executive agencies must follow CDC guidance for mask-wearing, maintaining physical distance, and adhering to other public health measures.

Agencies have been provided a reminder on three immediate actions as soon as possible and no later than Monday, August 22, 2022:

1. Stop implementing any COVID-19 serial screening testing programs that differentiate among individuals based on their COVID-19 vaccination status, and stop implementing any point-in time screening testing requirements that differentiate among individuals based on their vaccination status. Agencies also should stop implementing any current requirements that, solely because of their vaccination status, onsite contractor employees, visitors, and in-person attendees at agency-hosted meetings, events, and conferences need to be able to provide proof of a negative COVID-19 test when accessing or in Federal facilities or at an agency-hosted meeting, event, or conference.
 - Following consultation with agency COVID-19 Coordination Teams and the Task Force, agencies may establish COVID-19 serial screening testing programs for employees (or employees and onsite contractor employees) working in high-risk settings within Federal facilities. High-risk settings include certain Federal facilities—or certain specific settings within Federal facilities—where (1) COVID-19 transmission risk is high, and (2) the population present onsite is at high risk of severe outcomes from COVID-19 or there is limited access to healthcare. See the implementation guidance issued today for more information about consultation with the Task Force on screening testing for high-risk settings in Federal facilities.
2. Pause asking employees, onsite contractor employees, visitors to Federal facilities, or in-person attendees at agency-hosted meetings, events, and conferences to provide information about their COVID-19 vaccination status, regardless of COVID-19 Community Levels, where COVID-19 safety protocols do not vary based on vaccination status. Consistent with CDC's new streamlined guidance, for most Federal workplaces, COVID-19 workplace safety protocols will not vary based on vaccination status or otherwise depend on vaccination information. Where this is the case, agencies should no longer request or collect vaccination status information. Agencies with employee COVID-19 vaccination requirements unrelated to EO 14043 and pursuant to other authorities can continue to require documentation of proof of vaccination from employees subject to those requirements, as can agencies with other setting-specific dependencies on collecting vaccination information from employees in those settings, in consultation with the Task Force, the agency's General Counsel, and the agency's Senior Agency Official for Privacy. The Government-wide Certification of Vaccination form must not be used.
 - When agencies pause requesting and collecting vaccination status information, such agencies must continue to preserve their vaccination information collection systems and the information collected to date from employees in accordance with National Archives and Records Administration records schedules. Furthermore, it is important to preserve this information as COVID-19 workplace safety may change in the future, or collection of this information from Federal employees may otherwise need to resume.
3. No longer require that individuals who are not up to date with COVID-19 vaccines and who have been exposed to someone with COVID-19 do not enter Federal facilities or do not interact with members of the public in person as part of their official responsibilities for at least 5 full days. Rather, agencies should instruct all individuals exposed to someone with COVID-19 to follow the post-exposure protocols described in the implementation guidance issued today by the Task Force, consistent with CDC guidance on post-exposure precautions.

Agencies have also been provided a reminder on labor relations obligations:

Agencies should engage with employee unions at their earliest opportunity as they adjust agency COVID-19 workplace safety plans, protocols, and policies, and otherwise satisfy any applicable collective bargaining obligations under the law, if any, at the earliest opportunity,

including on a post-implementation basis where appropriate in order to meet the deadline established by the Task Force.

Agencies should also review existing collective bargaining agreements (CBAs) to assess whether these updated COVID-19 workplace safety protocols conflict with existing CBA provisions. To the extent existing CBA provisions exist, agencies are strongly encouraged to bring the CBA into compliance with these updated COVID-19 workplace safety protocols at the earliest opportunity permitted under the law.

As additional updates are made by the Task Force, we will share as soon as we are able to do so.

Tim Curry

*Deputy Associate Director, Accountability
and Workforce Relations
Employee Services
U.S. Office of Personnel Management*

Message

From: Oliver, Leah [Oliver.Leah@epa.gov]
Sent: 8/23/2022 6:40:36 PM
To: Coomber, Robert [coomber.robert@epa.gov]
CC: Mills, Lesley [Mills.Lesley@epa.gov]; John Campbell-Orde [john.campbell-orde@NTEU.ORG]; Owens Powell, Marie [Owens.Mariejr@epa.gov]; Sims, Mark [Sims.Mark@epa.gov]; Davis, Zakiya [Davis.Zakiya@epa.gov]
Subject: cessation of employee screening / testing for COVID based on vaccination status

Hello Bob,

It has come to my attention that local supervisors have not yet received notification per SFWTF Guidance, that COVID screening of employees based upon their vaccination status was to be stopped as of yesterday, 8/22/22.

Can you please tell me when this notification will be sent to all Agency supervisors?

Thank you,
Leah Oliver / Pres. NAIL Local 9

Message

From: HQ_Facilities_Updates [HQ_Facilities_Updates@epa.gov]
Sent: 8/23/2022 8:57:04 PM
To: All HQ Feds-nonFeds [All_HQ_Feds-nonFeds@epa.gov]
Subject: Notification of Positive COVID Cases



Office of Mission Support

This email message is being sent to HQ EPA employees.

Today, the agency received notification of the following cases where an individual has tested positive for COVID-19. The individual(s) were in the following space and last in the office based on the table below. If necessary, Facilities will temporarily close and clean the affected spaces.

We have asked the individual(s) to identify any persons they came in close contact with this week. If you are identified as someone the individual was in close contact with, we will be reaching out to you to inform you and encourage you to self-monitor, self-quarantine, telework for any scheduled work-days during the CDC-directed quarantine period, and continue to follow the CDC guidance about COVID-19 to prevent illness and recognize symptoms, including practicing good hygiene and social distancing.

# of Cases	Facility Name	Floor	Date Last in the Office
1	RRB	Mezzanine	August 19
1	WJC	East	August 17

All employees are encouraged to follow the CDC guidance about COVID-19 to prevent illness and recognize symptoms. Please, if you are sick, stay home and call your healthcare provider for medical advice. If you test positive, are presumptive positive or have been in direct contact with someone who is positive for COVID-19 please contact your supervisor. This will help us to keep the EPA workforce safe. Supervisors should immediately report information regarding individuals potentially affected by COVID-19 to their manager. We will continue to share relevant information with employees, while maintaining confidentiality.

If you have questions or concerns, speak with your supervisor. You are encouraged to visit the [CDC Coronavirus webpage](#), which includes information and resources to cope with the stress this situation can cause and ensure your mental health. The [Employee Assistance Program](#) is also available at (888) 635-3202.

Ex. 3 - 5 U.S.C. § 7114(b)(4)

Ex. 3 - 5 U.S.C. § 7114(b)(4)

From: CHCO Council <CHCOCouncil@opm.gov>

Sent: Thursday, August 11, 2022 8:56 PM

Subject: [Safer Federal Workforce] Updated CDC Guidance on COVID-19 Risk and Prevention

CHCOs and Deputy CHCOs,

Today, the Centers for Disease Control and Prevention (CDC) [simplified and streamlined existing COVID-19 guidance](#) to make it easier to understand COVID-19 risk, prevention steps, post-exposure precautions, and what actions to take when individuals are sick or test positive with the virus.

This email from the Safer Federal Workforce Task Force (Task Force) includes three actions agencies should take, as soon as possible and no later than Monday, August 22, consistent with CDC's updated guidance.

Included in its updated guidance, CDC has posted the following new or updated resources:

- [Understanding COVID-19 Exposure Risk](#)
- [Factors that Affect Your Risk of Getting Very Sick from COVID-19](#)
- [How to Protect Yourself and Others](#)
- [What to Do If You Were Exposed to COVID-19](#)
- [Isolation and Precautions for People with COVID-19](#)
- [COVID-19 Community Levels](#)

Updates to Federal Agency COVID-19 Workplace Safety Protocols

Pursuant to Section 2 of Executive Order [13991](#) on “Protecting the Federal Workforce and Requiring Mask-Wearing,” executive agencies must follow CDC guidance for mask-wearing, maintaining physical distance, and adhering to other public health measures. Independent agencies are strongly encouraged to comply with the requirements of EO 13991. The Task Force will update its guidance to reflect CDC’s streamlined guidance—first through initial guidance that will be issued soon on [SaferFederalWorkforce.gov](#), then through new and updated Frequently Asked Questions on [SaferFederalWorkforce.gov](#) to support agencies in expeditiously implementing safety protocols consistent with updated CDC and Task Force guidance, and later through updated Agency Model Safety Principles to support agencies in updating their COVID-19 Workplace Safety Plans, pursuant to OMB Memorandum M-21-15 and M-21-25.

As soon as possible and no later than Monday, August 22, 2022, agencies should take the following three actions:

1. **Stop any COVID-19 serial screening testing programs that differentiate among individuals based on their COVID-19 vaccination status.** Where agencies are currently conducting COVID-19 serial screening testing of individuals that does not differentiate among individuals based on their COVID-19 vaccination status, they may continue doing so pending further guidance from the Task Force. Agencies should not, however, implement any revised or new COVID-19 screening testing programs prior to receiving further guidance from the Task Force.
2. **Pause asking employees, onsite contractor employees, visitors to Federal facilities, or in-person attendees at agency-hosted meetings, events, and conferences to provide information about their COVID-19 vaccination status, regardless of COVID-19 Community Levels, where COVID-19 safety protocols do not vary based on vaccination status.** Consistent with CDC’s new streamlined guidance, for most Federal workplaces, COVID-19 workplace safety protocols will not vary based on vaccination status or otherwise depend on vaccination information. Where this is the case, agencies should no longer request or collect vaccination status information. Agencies with employee COVID-19 vaccination requirements unrelated to EO 14043 and pursuant to other authorities can continue to require documentation of proof of vaccination from employees subject to those requirements, as can agencies with other setting-specific dependencies on collecting vaccination information from employees in those settings, in consultation with the Task Force, the agency’s General Counsel, and the agency’s Senior Agency Official for Privacy. The Government-wide [Certification of Vaccination form](#) *should not* continue to be used.
 - When agencies pause collecting vaccination status information, such agencies should continue to preserve their vaccination information collection systems and the information collected to date from employees in accordance with National Archives and Records Administration records schedules; COVID-19 workplace safety may change in the future, or collection of this information from Federal employees may otherwise need to resume.
3. **No longer require that individuals who are not up to date with COVID-19 vaccines and who have been exposed to the virus do not enter Federal facilities or do not interact with members of the public in person as part of their official responsibilities for at least 5 full days.** Rather, agencies should instruct all individuals exposed to someone with COVID-19 to follow post-exposure protocols in line with previous Task Force post-exposure [guidance](#) for individuals who are up to date with COVID-19 vaccines, which is consistent with CDC’s newly updated guidance for [what to do if any individual is exposed to COVID-19](#) (which is described further below).

Agencies should continue to monitor COVID-19 Community Levels for each Federal facility, continue to require mask-wearing for all individuals in Federal facilities when COVID-19 Community Levels are HIGH, and otherwise wait for further guidance from the Task Force, prior to further updating their COVID-19 workplace safety plans, protocols, and policies beyond the changes described in this section of this email.

Reminder on Labor Relations Obligations

Agencies should engage with employee unions at their earliest opportunity as they adjust agency COVID-19 workplace safety plans, protocols, and policies, and otherwise satisfy any applicable collective bargaining obligations under the law,

if any, at the earliest opportunity, including on a post-implementation basis where appropriate in order to meet the mandatory deadline established by the Task Force.

Agencies should also review existing collective bargaining agreements (CBAs) to assess whether these updated requirements conflict with existing CBA provisions. To the extent existing CBA provisions exist, agencies are strongly encouraged to bring the CBA into compliance with these updated requirements at the earliest opportunity permitted under the law.

Reminder on Setting-Specific Guidance and Requirements

It is important to note that the updated CDC guidance released today is intended to apply to community settings, including most workplace settings. CDC will continue to recommend additional protections in some settings where COVID-19 is more likely to spread quickly or cause severe disease if introduced. Guidance for healthcare settings, schools, congregate settings at higher risk for transmission, and travel are covered in stand-alone guidance documents that will be updated on CDC's website. For example, today, CDC also updated its [Operational Guidance for K-12 Schools and Early Care and Education Programs to Support Safe In-Person Learning](#). Pursuant to Executive Order 13991, Federal agencies must follow CDC guidance related to certain settings where different or additional layers of prevention are recommended by CDC. Where there is a conflict with more general Safer Federal Workforce Task Force or CDC guidance, agencies must follow the setting-specific CDC guidance.

To be consistent with Task Force guidance, where a locality has imposed additional pandemic-related requirements more protective than those set forth in Safer Federal Workforce Task Force guidance, agencies would need to follow those additional local requirements in Federal buildings, in Federally controlled worksites, on Government-operated transportation conveyances, and on Federal land in that locality.

Discussion for CFO Act Agencies with CDC and the Task Force

During the next regularly scheduled President's Management Council (PMC) Staff-Level Weekly Call that will take place from 12:00 – 1:00 PM on Friday, August 12, 2022, CDC will review its simplified and streamlined guidance, and the Task Force will review the updates to agency COVID-19 workplace safety protocols described herein, answer questions from CFO Act agencies, and discuss next steps. In addition to PMC staff-level points of contact, CFO Act agency COVID-19 Coordination Team leads and CFO Act agency CHCOs are encouraged to attend.

Thank you for your continued partnership in protecting the health and safety of the Federal workforce and those we serve.

Overview of Core Components of Updated CDC COVID-19 Guidance

See below for an overview of core components of CDC's updated guidance. This overview does not reflect updates to existing Safer Federal Workforce Task Force guidance, which will be updated as discussed above.

As noted above, included in its updated guidance, CDC has posted the following new or updated resources:

- [Understanding COVID-19 Exposure Risk](#)
- [Factors that Affect Your Risk of Getting Very Sick from COVID-19](#)
- [How to Protect Yourself and Others](#)
- [What to Do If You Were Exposed to COVID-19](#)
- [Isolation and Precautions for People with COVID-19](#)
- [COVID-19 Community Levels](#)

Prevention Actions

Compared to earlier in the COVID-19 pandemic, today the Nation is in a stronger place with more tools—like vaccination, boosters, and treatments—that can protect us from severe illness from COVID-19. Staying up to date with COVID-19 vaccines, including recommended booster doses, remains the best way to significantly lower the risk of severe illness, hospitalization, and death from COVID-19.

In addition, CDC recommends using multiple layered prevention actions to reduce the risk of severe impacts from COVID-19 as COVID-19 Community Levels increase. Some of those measures include the following recommended actions.

At **all COVID-19 Community Levels**, CDC recommends the following actions:

- Staying up to date on COVID-19 vaccination, including recommended booster doses;
- Making or maintaining ventilation improvements;
- Following CDC recommendations for isolation if you have suspected or confirmed COVID-19; and
- Following CDC recommendations for what to do if you are exposed to someone with COVID-19.

When COVID-19 Community Levels are **MEDIUM** or **HIGH**:

- CDC recommends prioritizing for screening testing facilities and situations where (1) transmission risk is high and (2) the population served is at high risk of severe outcomes from COVID-19 or there is limited access to healthcare. CDC does not recommend serial screening testing in most community settings, and CDC recommends that when point-in-time or serial screening testing is used, it should be applied regardless of vaccination status.
- If individuals have household or social contact with someone at high risk for getting very sick, they can consider self-testing to detect infection before contact and consider wearing a high-quality mask when indoors with them.

When the COVID-19 Community Level is **HIGH**:

- All people ages two years or older should wear a high-quality mask or respirator (such as an N95) indoors in public.

Post-Exposure Precautions

CDC recommends that, following exposure to COVID-19, individuals wear a high-quality mask or respirator (such as an N95) when around others indoors for 10 full days after last exposure, watch for symptoms for 10 full days after last exposure, take precautions if they will be around people who are more likely to get very sick from COVID-19, and get tested at least 5 full days after last exposure—instead of quarantining at home, regardless of vaccination status. If they develop symptoms, they should isolate immediately and get tested.

Actions Individuals Should Take If They Have Symptoms or Test Positive

CDC recommends that individuals with COVID-19 symptoms stay home and isolate until they are able to get tested. If they test negative, they can end isolation.

If an individual tests positive for COVID-19, they should stay home and isolate for at least 5 full days (day 0 being the day of symptom onset or, if asymptomatic, the day they were tested). If they had no symptoms, they may end isolation after day 5. If they had symptoms, they may end isolation after day 5 if they are fever-free for 24 hours (without the use of fever-reducing medication) and their symptoms are improving. See CDC guidance on isolation for additional considerations regarding ending isolation.

After ending isolation, they should wear a high-quality mask or respirator (such as an N95) when around others through at least day 10. If they have access to antigen tests after they have ended isolation, they should consider using them. With two sequential negative tests 48 hours apart, they may remove their mask sooner than day 10. If either of their antigen test results are positive, they should continue taking antigen tests at least 48 hours apart until they have two sequential negative results. This may mean they would need to continue wearing a mask and testing beyond day 10.

After individuals have ended isolation, if their COVID-19 symptoms recur or worsen, they should restart isolation at day 0.

Best,

CHCO Council

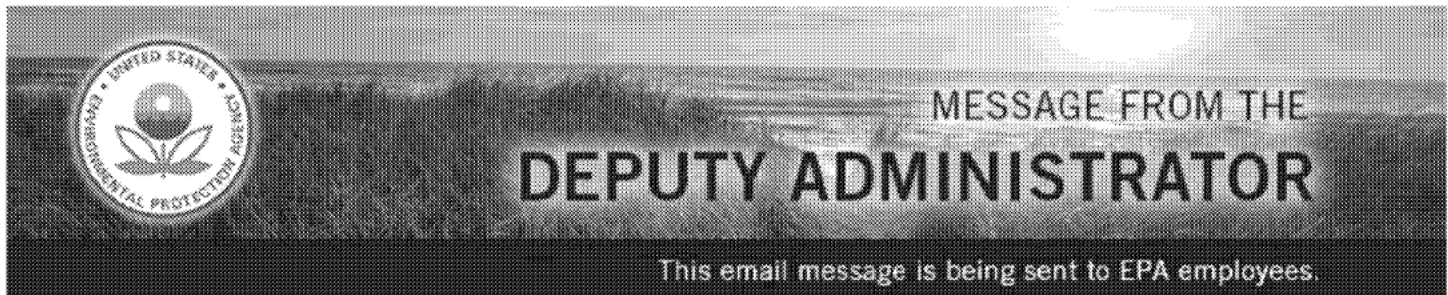
Message

From: Ex. 3 - 5 U.S.C. § 7114(b)(4)
Sent:
To: Coomber, Robert [coomber.robert@epa.gov]
Subject: Ex. 3 - 5 U.S.C. § 7114(b)(4)
Attachments: Updated Guidance on COVID-19 Risk and Prevention

FYI for unions

Ex. 3 - 5 U.S.C. § 7114(b)(4)

From: Message from the Deputy Administrator [messagefromthedeputyadministrator@epa.gov]
Subject: Updated Guidance on COVID-19 Risk and Prevention



Dear Colleagues,

It's hard to believe that summer is already coming to an end. As I've traveled around the U.S. and had the privilege to meet many of you in person, I've been inspired by seeing first-hand how we are adapting to our hybrid work environment. So many employees are telling me that they are glad to be able to meet in person with their colleagues, even as they are still concerned about community transmission rates.

For the past two and a half years, the pandemic has evolved and continually reshaped our work and personal lives. This week brings even more change to how we operate in this new normal.

On August 11, 2022, the Centers for Disease Control (CDC) provided updated COVID-19 guidance, specifically about risk, prevention, post-exposure precautions, and what actions to take when individuals are sick or test positive with the virus. Based on the CDC's updates, the Safer Federal Workforce Task Force issued [updated COVID-19 Workplace Safety guidance](#) to federal agencies.

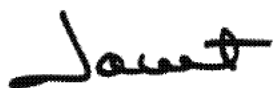
We'll share more on the Safer Federal Workforce changes and updates to EPA's [Workplace Safety Plan](#) after we review the updated guidance and have further discussions with our union partners.

Until then, here are changes we're now implementing:

- For those enrolled in the agency [Screening Testing Program](#), testing is no longer required.
- Regardless of COVID-19 community levels, employees, onsite contractor employees, visitors, or in-person attendees are no longer required to provide information about their vaccination status. (This includes no longer using the Certification of Vaccination form for visitors, contractors, and grantees.)
- Individuals exposed to someone with COVID-19 should follow the ["Close Contact" guidance](#) for "Up-to-date on COVID-19 vaccinations," regardless of their vaccination status. The Contact Tracing and Notification Guidance will be updated soon to reflect that the close contact guidance is now the same for everyone regardless of vaccination status.
- Programs and regions are no longer required to seek approval to host an event attended by more than 50 in-person participants in areas with HIGH COVID-19 Community Level.

As our situation continues to evolve, I want to assure you that we remain committed to your health and safety and making sure that we can all work safely together. EPA continues to maintain [healthy indoor air](#) and take [indoor shared space precautions](#), and encourages employees to make use of [workplace flexibilities](#), such as telework, work schedules and remote work.

If you have questions, please email them to EPA_COVID-19_Coordination_Team@epa.gov.
Thank you for all your hard work and for everything that you do to protect public health and the environment.

A handwritten signature in black ink, appearing to read "Jant".

Message

From: HQ_Facilities_Updates [HQ_Facilities_Updates@epa.gov]
Sent: 8/24/2022 8:20:14 PM
To: All HQ Feds-nonFeds [All_HQ_Feds-nonFeds@epa.gov]
Subject: Notification of Positive COVID Case



Office of Mission Support

This email message is being sent to HQ EPA employees.

Today, the agency received notification of the following cases where an individual has tested positive for COVID-19. The individual(s) were in the following space and last in the office based on the table below. If necessary, Facilities will temporarily close and clean the affected spaces.

We have asked the individual(s) to identify any persons they came in close contact with this week. If you are identified as someone the individual was in close contact with, we will be reaching out to you to inform you and encourage you to self-monitor, self-quarantine, telework for any scheduled work-days during the CDC-directed quarantine period, and continue to follow the CDC guidance about COVID-19 to prevent illness and recognize symptoms, including practicing good hygiene and social distancing.

# of Cases	Facility Name	Floor	Date Last in the Office
1	WJC East	3rd	August 23

All employees are encouraged to follow the CDC guidance about COVID-19 to prevent illness and recognize symptoms. Please, if you are sick, stay home and call your healthcare provider for medical advice. If you test positive, are presumptive positive or have been in direct contact with someone who is positive for COVID-19 please contact your supervisor. This will help us to keep the EPA workforce safe. Supervisors should immediately report information regarding individuals potentially affected by COVID-19 to their manager. We will continue to share relevant information with employees, while maintaining confidentiality.

If you have questions or concerns, speak with your supervisor. You are encouraged to visit the [CDC Coronavirus webpage](#), which includes information and resources to cope with the stress this situation can cause and ensure your mental health. The [Employee Assistance Program](#) is also available at (888) 635-3202.

Message

From: Ex. 3 - 5 U.S.C. § 7114(b)(4)
Sent: Ex. 3 - 5 U.S.C. § 7114(b)(4)
To: Ex. 3 - 5 U.S.C. § 7114(b)(4)
Subject: [Safer Federal Workforce] Updated CDC guidance on domestic and international travel

Ex. 3 - 5 U.S.C. § 7114(b)(4)

From: CHCO Council <CHCOCouncil@opm.gov>
Sent: Thursday, August 25, 2022 8:27 AM
Cc: Conrad, Margot C. <Margot.Conrad@opm.gov>; Holman, Ella S. <Ella.Holman@opm.gov>
Subject: [Safer Federal Workforce] Updated CDC guidance on domestic and international travel

CHCOs and Deputy CHCOs,

Last night, the Centers for Disease Control and Prevention (CDC) updated its COVID-19 guidance on domestic travel and international travel.

The Safer Federal Workforce Task Force (Task Force) will update its guidance on official travel next week, to align with the updated CDC guidance. This email provides initial guidance to agencies from the Task Force.

Effective today, agencies can approve official travel (and allow return official travel) for individuals who have had a known exposure to someone with COVID-19 within the prior 10 days and for individuals who have ended isolation after testing positive with COVID-19, but who still need to continue wearing a high-quality mask or respirator (such as an N95), consistent with CDC guidance. When agencies approve official travel for such individuals, they should instruct the individual to:

- Adhere strictly to CDC guidance for domestic and international travel before, during, and after travel—including CDC recommendations for wearing masks in travel and public transportation settings.
- Wear a high-quality mask or respirator (such as an N95) the entire time they are around others indoors for the full duration of their travel within the period they are otherwise required to wear a high-quality mask or respirator following a known exposure or after ending isolation, consistent with Task Force guidance.
- Not travel on public transportation such as airplanes, buses, and trains if they will not be able to wear a high-quality mask or respirator (such as an N95) when around others indoors for the full duration of their travel within the period they are otherwise required to wear a high-quality mask or respirator following a known exposure or after ending isolation, consistent with Task Force guidance.
- Follow other aspects of post-exposure and post-isolation protocols, including the requirement for individuals with a known exposure to be tested for COVID-19 after 5 full days following their known exposure (ideally, on or after day 6)—*note that agencies do not need to require that employees wait for the results of this post-exposure diagnostic test to undertake official travel, including return travel.*

In addition, CDC no longer recommends that individuals who are not up to date with COVID-19 vaccines quarantine following international travel to the United States. Therefore, **effective as soon as possible and no later than Tuesday, September 6, 2022**, agencies should:

- Stop asking individuals if they are up to date with COVID-19 vaccines when approving official international travel; and

- Stop requiring individuals who are not up to date with COVID-19 vaccines to not enter a Federal facility or interact with members of the public in person as part of their official responsibilities for at least 5 full days after their official international travel.

Reminder on Labor Relations Obligations

Agencies should engage with employee unions at their earliest opportunity as they adjust agency COVID-19 workplace safety plans, protocols, and policies, and otherwise satisfy any applicable collective bargaining obligations under the law, if any, at the earliest opportunity, including on a post-implementation basis where appropriate in order to meet the deadline established by the Task Force.

Agencies should also review existing collective bargaining agreements (CBAs) to assess whether these updated COVID-19 workplace safety protocols conflict with existing CBA provisions. To the extent existing CBA provisions exist, agencies are strongly encouraged to bring the CBA into compliance with these updated COVID-19 workplace safety protocols at the earliest opportunity permitted under the law.

All the best,
CHCO Council

Ex. 3 - 5 U.S.C. § 7114(b)(4)

From: Coomber, Robert

Sent: Friday, August 19, 2022 5:28 PM

To: Davis, Zakiya <Davis.Zakiya@epa.gov>; John Campbell-Orde <john.campbell-orde@nteu.org>; Krebs, Ken <krebs.ken@epa.gov>; Marie Owens-Powell <Owens.Mariejr@epa.gov>; Mills, Lesley <Mills.Lesley@epa.gov>; Oliver, Leah <Oliver.Leah@epa.gov>; Sims, Mark <Sims.Mark@epa.gov>; Barker, Justin <barker.justin@epa.gov>; Ottlinger, Michael <Ottlinger.Michael@epa.gov>; Lynne, Diane <Lynne.Diane@epa.gov>; Frank Barczykowski <frank.barczykowski@nteu.org>; Jamison, Rebecca <Jamison.Rebecca@epa.gov>

Cc: Brown, Phil <Brown.Phil@epa.gov>

Subject: RE: Safer Federal Workforce Task Force Updates

Happy Friday Union Leaders,

I am following up on our discussions on Thursday and Friday. The agency still plans to implement changes from the Safer Federal Workforce Task Force on Monday, August 22, 2022 for all employees including:

- A stop to the agency's screening testing program differentiating between employees based on their COVID-19 vaccination status;

- A change to post-exposure precautions for employees not up-to-date on their COVID-19 vaccines, i.e. these employees are no longer prohibited from entering federal facilities or interacting with members of the public in person as part of their official responsibilities for at least 5 full days, but instead should follow post-exposure precautions consistent with CDC guidance (see page 8 of the attached for details); and
- A pause to requiring or requesting employees and potential employees to provide information about their COVID-19 vaccination status regardless of COVID-19 Community Levels, where COVID-19 safety protocols do not vary based on vaccination status.

There are additional changes required affecting contractors not relevant to the parties' agreements also going into effect Monday. From our conversations I understand there are no objections to our plan to implement these changes on Monday.

There are further changes the parties will have to take up in the days ahead noted by the Taskforce, including changes to acceptable masks, etc. If you have any questions or concerns or wish to discuss these issues further, please reach out.

Best,

Bob

From: Coomber, Robert

Sent: Thursday, August 18, 2022 10:41 AM

To: Davis, Zakiya <Davis.Zakiya@epa.gov>; John Campbell-Orde <john.campbell-orde@nteu.org>; Krebs, Ken <krebs.ken@epa.gov>; Marie Owens-Powell <Owens.Mariejr@epa.gov>; Mills, Lesley <Mills.Lesley@epa.gov>; Oliver, Leah <Oliver.Leah@epa.gov>; Sims, Mark <Sims.Mark@epa.gov>

Cc: Brown, Phil <Brown.Phil@epa.gov>

Subject: Safer Federal Workforce Task Force Updates

Good Morning Union Leaders,

Attached please find the Safer Federal Workforce Task Force's updated guidance. You can also [visit their website](#) for more information. Below is a notice from OPM sent this morning to all national federal unions.

As noted in the guidance, we have been asked and plan to implement this guidance no later than Monday, August 22, 2022. I am setting up a meeting at 4pm to discuss.

Best,

Bob

From: OPM-AWR <AWR@opm.gov>

Sent: Thursday, August 18, 2022 7:53 AM

Cc: OPM-AWR <AWR@opm.gov>

Subject: Safer Federal Workforce Task Force Updates

Good morning,

Late yesterday, the Safer Federal Workforce Task Force posted updated guidance as follows:

- New implementation guidance on updates to Federal agency COVID-19 Workplace Safety Protocols or
(<https://www.saferfederalworkforce.gov/downloads/Initial%20Implementation%20Guidance%20Streamline%2020220817.pdf>)
- Updated implementation guidance on COVID-19 Community Levels or
(<https://www.saferfederalworkforce.gov/downloads/COVID-19%20Community%20Levels%20Guidance%20for%20Federal%20Agencies%2020220817.pdf>)
- Updated FAQs Related to Compliance with the Applicable Preliminary Nationwide Injunction on Implementation and Enforcement of the Vaccination Requirement Pursuant to Executive Order 14043 or
(<https://www.saferfederalworkforce.gov/downloads/Updated%20FAQs%20compliance%20injunction%20EO%2014043%2020220817.pdf>)

Additional background:

On August 11, 2022, the Centers for Disease Control and Prevention (CDC) streamlined its existing COVID-19 guidance (<https://www.cdc.gov/media/releases/2022/p0811-covid-guidance.html>) to make it easier to understand COVID-19 risk, prevention steps, post-exposure precautions, and what actions to take when individuals are sick with or test positive for the virus. Pursuant to Section 2(a) of Executive Order (EO) 13991 on “Protecting the Federal Workforce and Requiring Mask-Wearing,” executive agencies must follow CDC guidance for mask-wearing, maintaining physical distance, and adhering to other public health measures.

Agencies have been provided a reminder on three immediate actions as soon as possible and no later than Monday, August 22, 2022:

1. Stop implementing any COVID-19 serial screening testing programs that differentiate among individuals based on their COVID-19 vaccination status, and stop implementing any point-in time screening testing requirements that differentiate among individuals based on their vaccination status. Agencies also should stop implementing any current requirements that, solely because of their vaccination status, onsite contractor employees, visitors, and in-person attendees at agency-hosted meetings, events, and conferences need to be able to provide proof of a negative COVID-19 test when accessing or in Federal facilities or at an agency-hosted meeting, event, or conference.
 - Following consultation with agency COVID-19 Coordination Teams and the Task Force, agencies may establish COVID-19 serial screening testing programs for employees (or employees and onsite contractor employees) working in high-risk settings within Federal facilities. High-risk settings include certain Federal facilities—or certain specific settings within Federal facilities—where (1) COVID-19 transmission risk is high, and (2) the population present onsite is at high risk of severe outcomes from COVID-19 or there is limited access to healthcare. See the implementation guidance issued today for more information about consultation with the Task Force on screening testing for high-risk settings in Federal facilities.
2. Pause asking employees, onsite contractor employees, visitors to Federal facilities, or in-person attendees at agency-hosted meetings, events, and conferences to provide information about their COVID-19 vaccination status, regardless of COVID-19 Community Levels, where COVID-19 safety protocols do not vary based on vaccination status. Consistent with CDC’s

new streamlined guidance, for most Federal workplaces, COVID-19 workplace safety protocols will not vary based on vaccination status or otherwise depend on vaccination information. Where this is the case, agencies should no longer request or collect vaccination status information. Agencies with employee COVID-19 vaccination requirements unrelated to EO 14043 and pursuant to other authorities can continue to require documentation of proof of vaccination from employees subject to those requirements, as can agencies with other setting-specific dependencies on collecting vaccination information from employees in those settings, in consultation with the Task Force, the agency's General Counsel, and the agency's Senior Agency Official for Privacy. The Government-wide Certification of Vaccination form must not be used.

- When agencies pause requesting and collecting vaccination status information, such agencies must continue to preserve their vaccination information collection systems and the information collected to date from employees in accordance with National Archives and Records Administration records schedules. Furthermore, it is important to preserve this information as COVID-19 workplace safety may change in the future, or collection of this information from Federal employees may otherwise need to resume.
3. No longer require that individuals who are not up to date with COVID-19 vaccines and who have been exposed to someone with COVID-19 do not enter Federal facilities or do not interact with members of the public in person as part of their official responsibilities for at least 5 full days. Rather, agencies should instruct all individuals exposed to someone with COVID-19 to follow the post-exposure protocols described in the implementation guidance issued today by the Task Force, consistent with CDC guidance on post-exposure precautions.

Agencies have also been provided a reminder on labor relations obligations:

Agencies should engage with employee unions at their earliest opportunity as they adjust agency COVID-19 workplace safety plans, protocols, and policies, and otherwise satisfy any applicable collective bargaining obligations under the law, if any, at the earliest opportunity, including on a post-implementation basis where appropriate in order to meet the deadline established by the Task Force.

Agencies should also review existing collective bargaining agreements (CBAs) to assess whether these updated COVID-19 workplace safety protocols conflict with existing CBA provisions. To the extent existing CBA provisions exist, agencies are strongly encouraged to bring the CBA into compliance with these updated COVID-19 workplace safety protocols at the earliest opportunity permitted under the law.

As additional updates are made by the Task Force, we will share as soon as we are able to do so.

Tim Curry

Deputy Associate Director, Accountability
and Workforce Relations
Employee Services
U.S. Office of Personnel Management

From: HQ_Facilities_Updates [HQ_Facilities_Updates@epa.gov]
Sent: 8/29/2022 8:32:20 PM
To: All HQ Feds-nonFeds [All_HQ_Feds-nonFeds@epa.gov]
Subject: Notification of Positive COVID Case



Office of Mission Support

This email message is being sent to HQ EPA employees.

Today, the agency received notification of the following cases where an individual has tested positive for COVID-19. The individual(s) were in the following space and last in the office based on the table below. If necessary, Facilities will temporarily close and clean the affected spaces.

We have asked the individual(s) to identify any persons they came in close contact with this week. If you are identified as someone the individual was in close contact with, we will be reaching out to you to inform you and encourage you to self-monitor, self-quarantine, telework for any scheduled work-days during the CDC-directed quarantine period, and continue to follow the CDC guidance about COVID-19 to prevent illness and recognize symptoms, including practicing good hygiene and social distancing.

# of Cases	Facility Name	Floor	Date Last in the Office
1	WJC West	Basement	August 26

All employees are encouraged to follow the CDC guidance about COVID-19 to prevent illness and recognize symptoms. Please, if you are sick, stay home and call your healthcare provider for medical advice. If you test positive, are presumptive positive or have been in direct contact with someone who is positive for COVID-19 please contact your supervisor. This will help us to keep the EPA workforce safe. Supervisors should immediately report information regarding individuals potentially affected by COVID-19 to their manager. We will continue to share relevant information with employees, while maintaining confidentiality.

If you have questions or concerns, speak with your supervisor. You are encouraged to visit the [CDC Coronavirus webpage](#), which includes information and resources to cope with the stress this situation can cause and ensure your mental health. The [Employee Assistance Program](#) is also available at (888) 635-3202.

Message

From: HQ_Facilities_Updates [HQ_Facilities_Updates@epa.gov]
Sent: 8/30/2022 8:28:33 PM
To: All HQ Feds-nonFeds [All_HQ_Feds-nonFeds@epa.gov]
Subject: Notification of Positive COVID Cases



Office of Mission Support

This email message is being sent to HQ EPA employees.

Today, the agency received notification of the following cases where an individual has tested positive for COVID-19. The individual(s) were in the following space and last in the office based on the table below. If necessary, Facilities will temporarily close and clean the affected spaces.

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# of Cases	Facility Name	Floor	Date Last in the Office
1	WJC South	3 RD & 6 th	August 24
2	WJC West	Basement	August 26

All employees are encouraged to follow the CDC guidance about COVID-19 to prevent illness and recognize symptoms. Please, if you are sick, stay home and call your healthcare provider for medical advice. If you test positive, are presumptive positive or have been in direct contact with someone who is positive for COVID-19 please contact your supervisor. This will help us to keep the EPA workforce safe. Supervisors should immediately report information regarding individuals potentially affected by COVID-19 to their manager. We will continue to share relevant information with employees, while maintaining confidentiality.

If you have questions or concerns, speak with your supervisor. You are encouraged to visit the [CDC Coronavirus webpage](#), which includes information and resources to cope with the stress this situation can cause and ensure your mental health. The [Employee Assistance Program](#) is also available at (888) 635-3202.